

ARTICLE X

INITIATIVE, REFERENDUM, RECALL

- [SECTION 1. INITIATIVE AND REFERENDUM.](#)
- [SECTION 2. RECALL.](#)

SECTION 1. INITIATIVE AND REFERENDUM.

The rights and powers of initiative, referendum and recall are reserved to the people of the Municipality and shall be exercised in accordance with the provisions of the Constitution and general laws of the State of Ohio. The people of the Municipality may propose ordinances and resolutions by initiative petition and adopt them by election. Any ordinance or resolution adopted by Council shall be subject to referendum under the laws of the State of Ohio. The Council shall by ordinance establish the procedures by which initiative and referendum are exercised. (Amended 11-7-06)

SECTION 2. RECALL.

The electors of the Municipality shall have the power to remove from office, by recall election, any elected official of the Municipality. After any elected official has served six (6) months of his term, a petition demanding his removal may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing, and deliver to such person a receipt therefor, and attach a copy thereof to said petition. Such petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain the name and office of the person whose removal is sought, together with a statement in not more than two hundred (200) words setting forth the grounds for the removal. Such petition shall be signed by at least that number of electors which equals twenty-five percent in number of the electors voting at the last preceding regular municipal election, provided, however, the petition for recall of a councilman elected from a ward shall be signed by at least that number of electors of the councilman's ward equal to twenty-five percent in number of the electors of such ward who voted at the last preceding regular municipal election.

Within twenty (20) days after the day on which such petition shall have been filed, the Clerk of Council shall determine whether or not it meets the requirements. If the Clerk of Council finds the petition insufficient, he shall promptly certify the particulars in which the petition is defective, deliver a copy of his certificate to the person who filed the petition, and make a record of such delivery. Such person shall be allowed a period of ten (10) days after the day on which such delivery was made in which to make the petition sufficient. If the Clerk of Council shall find the petition sufficient, he shall promptly so certify such petition to Council, and shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery. If such officer shall not resign within five (5) days after the day on which such delivery shall have been made, Council shall thereupon fix a day for holding a recall election which shall be not less than thirty (30) days nor more than forty-five (45) days after the date of such delivery, and shall cause notice of such recall election to be published on the same day of each week for two consecutive weeks in a newspaper determined by Council to be of general circulation in the Municipality.

At such recall election, this question shall be placed upon the ballot: "Shall (naming the officer) be allowed to continue as (naming the office) ?", with the provision on the ballot for voting affirmatively or negatively, and in the event a majority of the vote is negative such officer shall be considered as removed, his office shall be deemed vacant, and such vacancy shall be filled as provided in this Charter. The officer removed at such recall election shall not be eligible for appointment to the vacancy created thereby. If the officer is not removed at such recall election, no further recall petitions shall be filed against him for a period of one (1) year following such election.